

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 115-10246Date Received 4/24/90Receipt Number EO13596

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 24 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) DAVID A. WALTON AND/OR
LINDA A. SMITH Phone (208) 865 2543Mailing Address P.O. Box 1114, North Fork, ID. Zip 834662. Date of Priority (Only one (1) per claim) JANUARY 15, 19733. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 24 N Range 21 E Section 35,
NW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of LEMHIAdditional points of diversion if any: NONE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

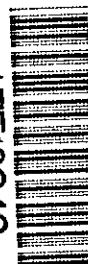
Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.JET PUMP MOUNTED ON TOP
OF 6" STEEL CASING. PRESSURE TANK IN WELL HOUSE
& ASSOCIATED UNDERGROUND PIPING TO SERVE
RESIDENCE & 4 OUTDOOR FREEZELESS HOSE BIBS.
WELL DEPTH: 12 FEET.

A7510246



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DEC 15 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from JAN 1 to DEC 31 amount 0.02 or _____

For LAWN & GARDEN IRRIGATION purposes from APR 1 to NOV 1 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC: TWO (2) HOUSEHOLDS SERVED.

10. Description of place of use:

a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
24N	21E	35				D													

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? LEMMING

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None X

14. Remarks:

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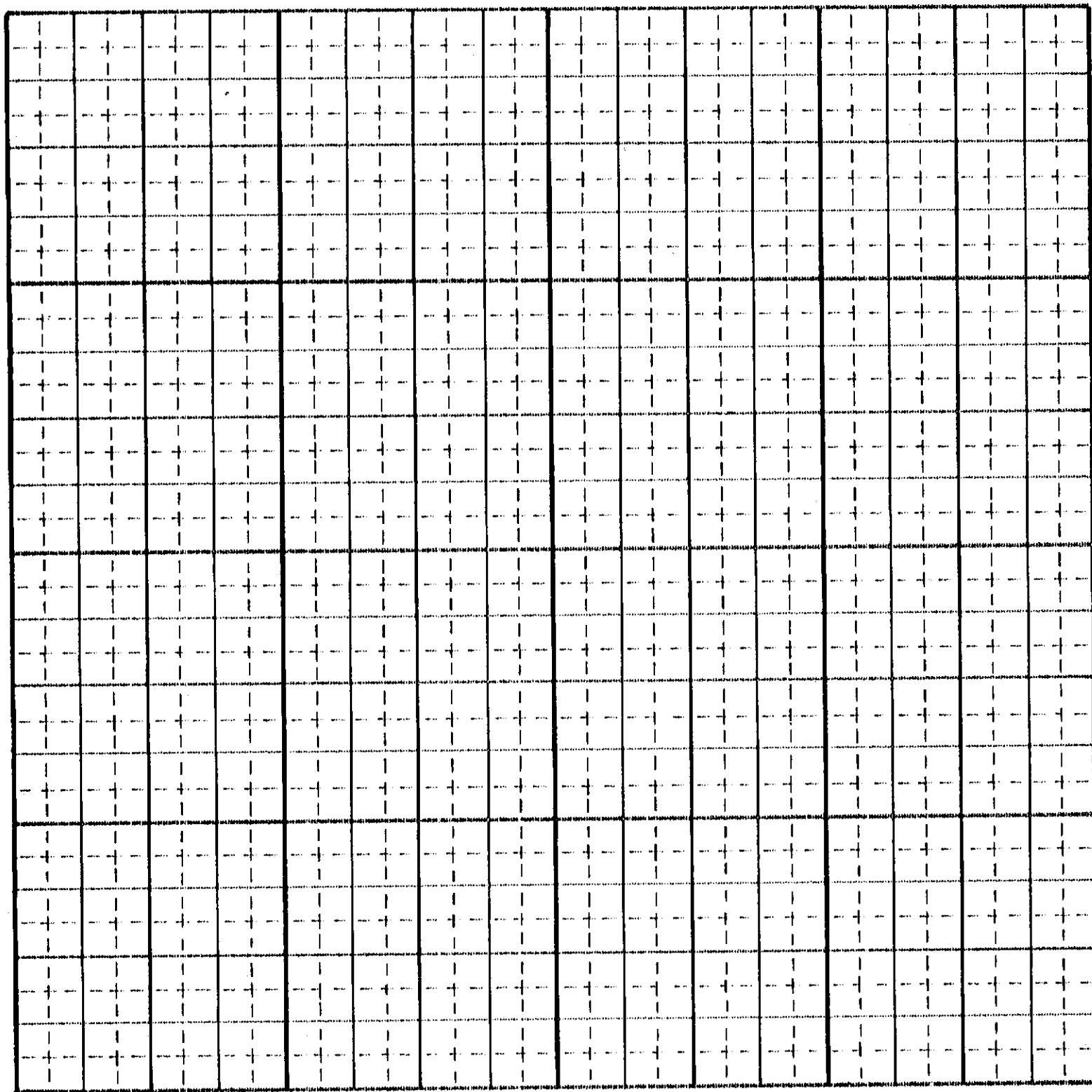
DEC 15 1992

Last Name WALTON/SMITH Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name

WALTON/SMITH

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, ~~I~~/We acknowledge that ~~I~~/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) ~~I~~/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) David G. Walton Date 4-23-90

Linda A. Smith Date 4-23-90

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Lenah) SS.

Subscribed and sworn (or affirmed) before me this 23RD day of April 19 90

SEAL

Notary Public R. Allen

Residing at Shannon

My Commission Expires 2-19-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name WALTON/SMITH Ident. Number _____

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Copies White-State, Yellow-Claimant

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Walter Smith

CLAIM IDENT. NO.

A75-10240

DATE RECEIVED

4-24-90

CK #

AMOUNT \$ 2500

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A ☐ NO *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A ☐ NO *
- Is the consumptive use correct? ☒ YES ☐ NO N/A ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A ☐ NO *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A ☐ NO *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: RAADate: 4/27/90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by: RAA

Sent to claimant by:

Date:

Date: 4-27-90Checked by: RAADate: 4/27/90

Comments:

MICROFILMED

DEC 15 1992

rat
X

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-10246
Date Received: 4/24/1990
Receipt No: E013596
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID A. WALTON 208-865-2543
Address: P.O. BOX 1114
NORTH FORK, ID 83466

AND/OR

Name: LINDA A. SMITH 208-865-2543
Address: P.O. BOX 1114
NORTH FORK, ID 83466

2. Date of Priority: JAN 15, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	21E	35	NW	SE	NE		LEMHI

5. Description of diverting works:

WELL, JET PUMP, 6", 12' DEEP, PRESSURE TANK, FREZELESS HOSE BIBS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
DOMESTIC	04/01	11/01	0.020		

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 2 HOUSEHOLDS (4-1 TO 11-1, LAWN/GARDEN IRRIGATION)

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	21E	35	SE NE		DOMEST	

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

JUL-08-1997
0050

1

RIGHT NUMBER: 75-10246

NAME AND ADDRESS: DAVID A WALTON
LINDA A SMITH
PO BOX 1114
NORTH FORK ID 83466

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/15/1973

POINT OF DIVERSION: T24N R21E S35 NWSENE Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 2 HOUSES	01-01 12-31	0.02 CFS
	DOMESTIC	04-01 11-01	0.02 CFS

PLACE OF USE: DOMESTIC Within LEMHI County
T24N R21E S35 SENE

DOMESTIC Within LEMHI County
SAME AS OTHER USE

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RP 24N21E350003 A

SEP-22-1998

0001

1

RIGHT NUMBER: 75-10246

NAME AND ADDRESS: DAVID A WALTON
LINDA A SMITH
PO BOX 1114
NORTH FORK ID 83466

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/15/1973

POINT OF DIVERSION: T24N R21E S35 NWSENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 2 HOMES
DOMESTIC

PERIOD OF USE
01-01 12-31
01/01/1803

QUANTITY
0.02 CFS
0.02 CFS

.04

PLACE OF USE: DOMESTIC Within LEMHI County
T24N R21E S35 SENE

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RP 24N21E350003 A

De RBT

✓ RBT
10/6/98

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-23-1997
PAGE: A-167

RIGHT NUMBER: 75-10246

NAME & ADDRESS: DAVID A WALTON
LINDA A SMITH
PO BOX 1114
NORTH FORK ID 83466

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/15/1973

POINT OF DIVERSION: T24N R21E S35 NWSENE Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

DOMESTIC 2 HOUSES *homes*

DOMESTIC

PERIOD OF USE

01-01 12-31

~~04-01 11-01~~

QUANTITY

~~0.02~~ CFS

~~0.02~~ CFS

.04

PLACE OF USE: DOMESTIC Within LEMHI County
T24N R21E S35 SENE

DOMESTIC

same as other use

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RP 24N21E350003 A

Wb
1009
514
OCT 15 1997

DELOG 2-2-99
JH

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

OK
JH
RECEIVED
JAN 29 1999
 Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): 75-10246 / 175-00116 B
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Lana Neidigh
5996 Timber TR
Helena, MT. 59601
4. New Owner/Claimant(s) Linda A. Walton
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address PO Box 22
 City, State and ZIP Code North Fork, ID. 83466
 New Telephone Number (208) 865-2543
5. Date you acquired the property February 1982 June 1, 1993
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 1 Number and type of stock _____
 Diversion rate in CFS .640 Number of homes 1 Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Linda A. Walton
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

January 27, 1999

RECEIVED

JAN 29 1999

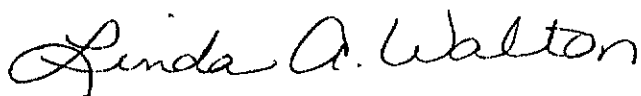
Department of Water Resources
Eastern Region

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

To Idaho Dept. Of Water Resources:

This letter is in regards to a notice I received dated December 2, 1998. I am not a new land owner but wanted to change the name and P.O. Box on your mailings. I was instructed to provide the enclosed information. To clarify this for you. I purchased the property in Feb. 1982 as Linda A. Smith, a single person. In December 1990, I married David A. Walton and we jointly owned the property and I became Linda A. Walton, our P.O. Box changed from 1114 to P.O. Box 22. In June 1993 we bought surrounding property and water rights. In April 1994, my husband, David, was killed in an accident and shortly thereafter, I went through probate and became the beneficiary of the estate. Hopefully this clarifies the name and address change I was referring to. Please call with any further questions. Although, I will not be available for any calls until the first of March because I will be out of the country on vacation until then. Thank you for your attention to this matter. I'm also interested if there is someone in Salmon I could speak with for any further questions.

Sincerely,



Linda A. Walton
P.O. Box 22
North Fork, ID 83466
(208) 865-2543

WARRANTY DEED

For Value Received Linda A Walton, who aquired title as Linda A. Smith

the grantor , does hereby grant, bargain, sell and convey unto David A. Walton and Linda A. Walton (husband and wife)

whose current address is P. O. Box 22, North Fork, Idaho, 83466

the grantee , the following described premises, in.....Lemhi.....County Idaho, to wit:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee , that he the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: 8-29-91

Linda A. Walton

STATE OF IDAHO, COUNTY OF

On this 29th day of August, 1991,
before me, a notary public in and for said State, personally
appeared

Linda A. Walton

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that executed the same.

Steve Sawyer
Notary Public
Residing at Salmon, Idaho
Comm. Expires 4-3-96



Couch surveying

1021 main street
salmon, idaho 83467
(208) 756-3019

david j. couch,
prof. land surveyor
idaho • montana
u.s. mineral surveyor

Exhibit A

PROPERTY DESCRIPTION FOR LINDA SMITH

A parcel of land located in the NW4SE4NE4, Section 35, T. 24 N. R. 21 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the East Quarter Corner of said Section 35, a distance of 1321.68 feet on a bearing of N. 0° 28' 20" E. to the N 1/16 Corner; thence N. 89° 31' 29" W. 719.64 feet to a point which bears S. 89° 31' 29" E. 264.00 feet from the northwest corner of the NE4NW4SE4NE4; thence S. 0° 01' 00" E. 126.19 feet to a point on the south right-of-way of the Fourth of July Creek Road and the REAL POINT OF BEGINNING.

Thence S. 0° 01' 00" E. 203.81 feet;

Thence N. 90° 00' 00" W. 218.17 feet to a point on the south right-of-way of Fourth of July Creek Road;

Thence the following courses and distances along the south right-of-way of said Fourth of July Creek Road:

N. 41° 54' 47" E. 10.80 feet;

A distance of 215.31 feet along a curve concave to the southeast having a radial of S.

47° 51' 58" E. 1975.00 feet and a central angle of 6° 14' 47";

A distance of 73.06 feet along a curve concave to the southeast having a radial of S. 41° 37'

11" E. 475.00 feet and a central angle of 8°

48' 45" to the REAL POINT OF BEGINNING, said

parcel contains 0.548 Acres.

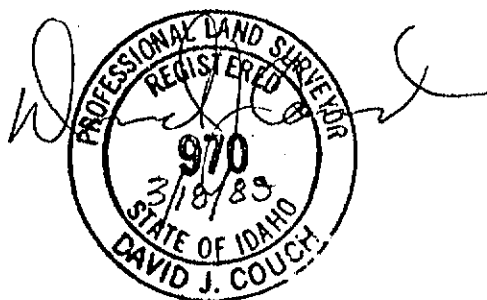
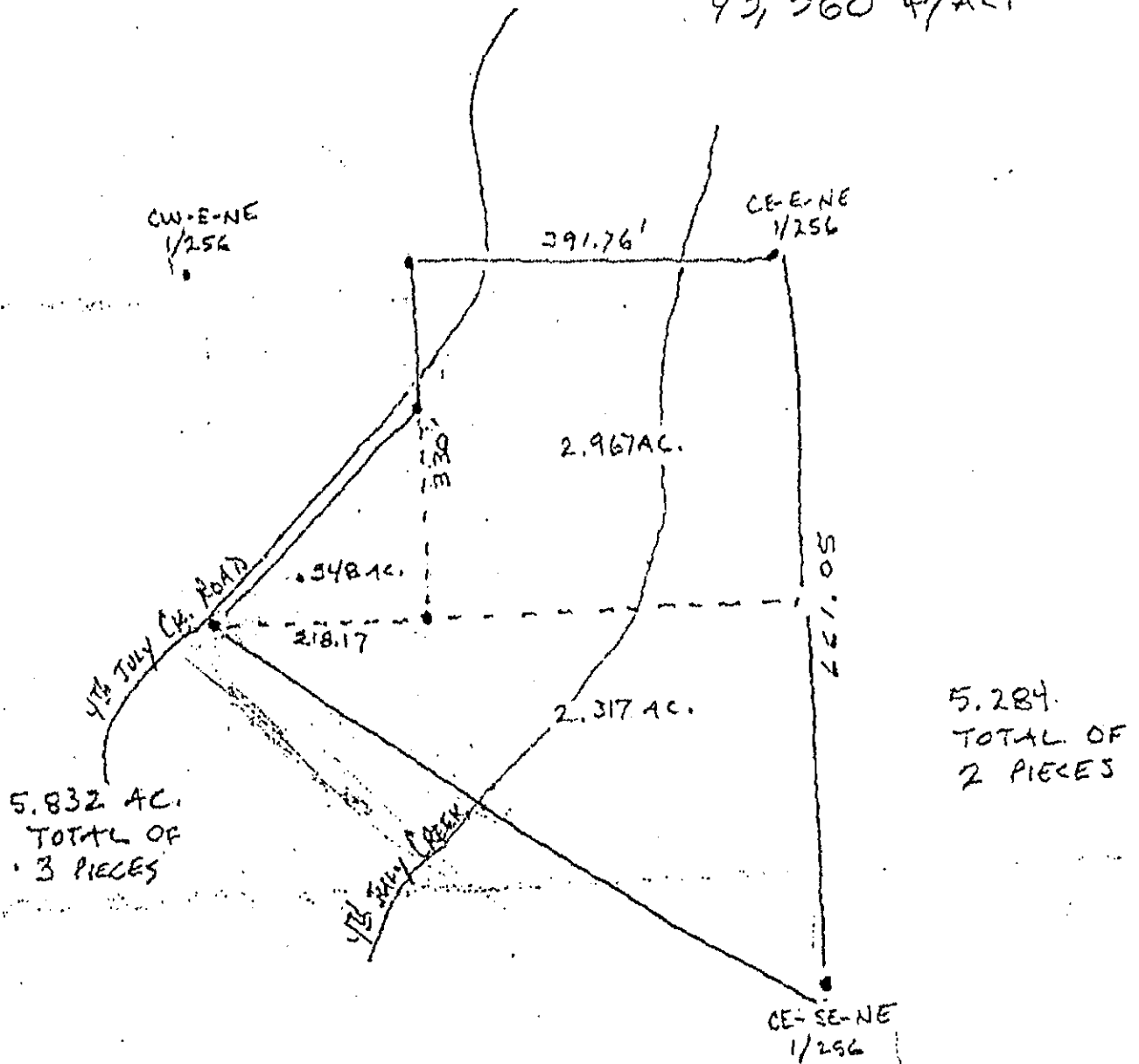


Exhibit A
Neidigh/Walton

43,560 Φ /AC.



5.284
TOTAL OF
2 PIECES

original section
second section

WADE SURVEYING

505 Granite
Salmon, Idaho 83467

Phone (208) 756-3070

May 5, 1993

A parcel of land located in the E 1/2 NE 1/4, Section 35,
T. 24 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more
particularly described as follows:

Beginning at the CE-E-NE 1/256 corner of said Section 35,
run thence S. 00° 25' 16" W. a distance of 661.05 ft. to the
CE-SE-NE 1/256 corner;

Thence N. 61° 04' 35" W. a distance of 691.18 ft. to a point
on the southerly right-of-way of 4th of July Creek road;

Thence East a distance of 218.17 ft.;

Thence N. 00° 01' 00" W. a distance of 330.00 ft.;

Thence S. 89° 31' 29" E. a distance of 391.76 ft. to the POINT
OF BEGINNING.

PARCEL CONTAINS 5.27 ACRES.



DAVID H. MAGUIRE
WARD, MAGUIRE & BYBEE
353 East Lander - P.O. Box 4758
Pocatello, Idaho 83205-4758
Telephone: (208) 232-5167
FAX: (208) 232-5181

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

IN THE MATTER OF THE ESTATE OF	)	CASE NO.
	)	
DAVID ALAN WALTON,	)	PETITION FOR SUMMARY
	)	ADMINISTRATION OF ESTATE
Decedent.	)	OF WHICH SURVIVING SPOUSE
	)	IS SOLE BENEFICIARY

PETITIONER LINDA WALTON, STATES AND REPRESENTS TO THE
COURT THAT:

1. Petitioner's interest in this matter is that of the surviving spouse of the decedent.
2. The decedent, David Alan Walton, died 4/3/94.
3. Venue is proper because at the time of death the decedent was domiciled in this county.
4. The decedent and Linda Walton were duly married at Salmon, Idaho on December 30, 1990, and remained married until the date of decedent's death.
5. The decedent died testate leaving a will in which the surviving spouse is named as the sole devisee and decedent's will dated November 3, 1989, accompanies this petition.
6. The schedule of property attached to this petition is a full and complete inventory of the property owned by the decedent. The nature of the property is all community.

1. PETITION FOR SUMMARY ADMINISTRATION OF ESTATE OF WHICH SURVIVING
SPOUSE IS SOLE BENEFICIARY walton\petition

7. The surviving spouse of the decedent is the sole devisee or beneficiary of the decedent and is therefore entitled to have all of the interest and estate of the decedent distributed to and vested in the surviving spouse, free and clear of the claims of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise. The decedent left 2 minor children, Aeron, age 16; and Jenny, age 13; c/o Ms. Jackie Walton, 12732 10th Ave. N.E., Seattle, WA 98125.

8. Under I.C. 15-2-102(4), the children would be entitled to 1/2 of the separate intestate estate. However, all of the property was treated by the decedent as community property with the surviving spouse, Linda Walton. Therefore, the surviving spouse is the sole devisee or beneficiary of the decedent and is entitled to have all of the interest and estate of decedent distributed to and vested in the surviving spouse, free and clear of the claims of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee or otherwise, excepting a proper creditor.

WHEREFORE, PETITIONER REQUESTS THAT:

1. The Court fix a time and place of hearing and that notice be given as required by law.

2. That the Court enter its Decree that the decedent and the surviving spouse were married and the surviving spouse is the sole heir and devisee of the decedent and vested with all the interest and estate of the decedent, free of claims of any person or persons claiming under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.

SCHEDULE OF PROPERTY OF
David A. Walton, Deceased

REAL ESTATE

See Attached Exhibit A.

Water right - 2.5 Acre Feet Per Annum to be used for irrigation from 04/01 to 08/01 0.040 C.F.S.; irrigation from 08/02 to 11/01 0.030 C.F.S. Water right identified in the General Adjudication of rights to the use of the water from the Snake River Basin Water System, Identification Number A75-00116B, Receipt No. X777777. Place of use of Water Right is Township 24N, Range 21E, Section 35.

AUTOMOBILES

1984 Dodge Ram Pickup, VIN JB7FK24DEY102707

1973 BMW 4d, VIN 3132687

1973 Kit TV Trailer, ID # S5043

1978 International Bus, VIN D0822HHB12369

1974 BMW Motorcycle, Model CYL R90/6, ID # 4930397

1953 DeVille CT, Trailer, ID #1453164

1964 Ford Pickup Truck, VIN F10CR492267

1988 Toyota Forerunner VIN JT3VN66W1J0002173

PERSONAL POSSESSIONS AND EFFECTS OF DAVID WALTON

Various items of clothing
Household furniture
Kitchen supplies
Various yard and garden tools and equipment

ACCOUNTS

Joint USAA Savings Account #011-9377 - Approx. sum of \$6,000.00, in the names of David & Linda Walton

USAA Checking Account #017-2735-4 - Approx. sum of \$600.00, in the name of David Walton

In Re SRBA	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	
<u> </u>	)	SUB CASE NO. 75-10246

Does the change in "ownership" result in a splitting of the water right claimed? ☐Yes ☒No

The Claimant has filed Objections or Responses to the following water rights:

NO OBJECTIONS

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Feb 25, 1999

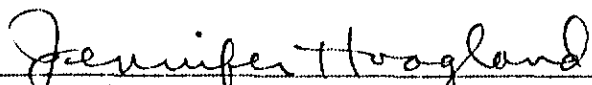
Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/26, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
N/A
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
LINDA WALTON
PO BOX 22
NORTH FORK ID 83466
4. One Copy to:
Each party in the subcase or attorney of record:
N/A
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-24-1999
PAGE: A-25

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 75-10246

NAME & ADDRESS: LINDA A WALTON
PO BOX 22
NORTH FORK ID 83466

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/15/1973

POINT OF DIVERSION: T24N R21E S35 NWSENE Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 2 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within LEMHI County
T24N R21E S35 SENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RP 24N21E350003 A



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREIER
DIRECTOR

LINDA WALTON
PO BOX 22
NORTH FORK ID 83466

RE: Notice of Change of Water Right Ownership (NCO) for 75-10246
and Notice of Completed Administrative Proceeding (NCAP)

Dear Ms. Walton:

On January 29, 1999, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Hoagland
Technical Records Specialist

Enclosure

WATER RIGHT NUMBER - A75-10246

PREFIX TRANSLATION: ADJUDICATION CLAIM

CONDITIONS OF APPROVAL
NO CONDITIONS OF APPROVAL FOUND.

DECREE PLAINTIFF -----

DECREE DEFENDANT -----

DECREE DATE -----
00/00/0000

AUDIT FIELDS - 04/28/90 BSRSA

COMMENTS
NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 04/24/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- 8013596	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLAG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

RP 24N21E35 0003 A

DATA ENTRY

ENTERED

CHECKED

Verified By:
Topo Map/Ortho-PO
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
ENR Records

VERIFIED

SEP 14 1992

CERTIFIED

MAR 29 1993

WATER EXAMINER